21.

G. R. S. 59] GPB—15,000—20-12-13

GENERAL AND REVENUE SECRETARIAT.

191 .

(Bundi)

File No. 39/02-03

Serial Nos. 1-4

Papers ~~Filed.~~

B

Month September 03

SUBJECT.

Prosecution of the parties concerned in an Infant marriage in Chittaloorag Taluq

PREVIOUS REFERENCES.	LATER REFERENCES.
	Indexed. Plate Scheme
	Commission

OFFICE OF THE DEWAN OF MYSORE,

(Revenue and General Departments).

(Full Office Note.)

Subject.

Letter No 3018/233 dated 9th January 1903, from the Inspector General of Police in Mysore, recommending the prosecution of the parties concerned in the infant marriage that took place at Chitaldroog on the 10th November 1900.

Note.

The Inspector General of Police recommends the prosecution of the parties concerned in the infant marriage that took place at Chitaldroog on the 10th November 1900.

The Assistant Supdt in his memo states that the Births Registers of the Madderi village at which the girl was born, show that the bride was born on the 18th February 1893, i.e. she was 7 years, 9 months and 9 days on the day of marriage, and so, wanting only 2 months and 20 days to complete 8 years.

The Deputy Commr further states that the following hands may be

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* 1. Statement of case in narrative form in regular sequence of subject matter or date.
2. Opinions to be stated only as supported by precedents, or general rules which should always be quoted.
3. Serial numbers in file, &c., to be always stated.
4. Dates of important documents referred should be given.
5. Write on both sides, leaving the same side as margin.

† 1. No. and date of latest letter or paper.
2. Catch words to show nature of subject.
3. Subject to be in red and body of note in black ink.

be taken into consideration in according sanction to the prosecution:—

(a) The marriage took place so long ago as 10th November 1900.

(b) The girl bride was wanting only two months and 20 days to complete her eighth year on the day of the marriage.

(c) The grandfather of the girl who had settled the marriage and in whose protection she was, had died two months before the marriage.

(d) The marriage could have been prevented had the authorities taken immediate action on the receipt of an anonymous petition on the 8th November 1902.

The point for orders is whether under the circumstances brought to notice by the Dy. Comr. it is expedient to sanction the prosecution of the persons concerned in the case.

Submitted
20/1/03.

Strictly speaking, the persons concerned should be prosecuted, but the Deputy Commissioner urges several considerations for leniency in the matter. The fourth consideration (d above) appears somewhat indefinite & puts the blame on the authorities who could have but did not taken immediate action on the receipt of the anonymous petition

20/1/03

An order in such a case should be framed as follows:

"In view of the delay of over two years which has taken place in reporting this case for orders, combined with the fact that the bride's age at the time of marriage was only a few months below 16 years, but do not consider that it would be expedient to sanction the prosecution of the parties concerned. The D.S.P. to be requested to notice adequately the ~~marriage in which~~ irregularities on the part of the police officers who took part in the investigation of the case."

and report the action taken by him in pursuance of this order.

20-1-03

Sd/ 28/1/03

Submitted to the Hon'ble Member

28/1/03

RDSO. 1.03
8091

Sd/
4.II.03

Issue

Put up draft in usual form.

Submitted
2/2/03

Draft issued with reference to the directions contained in the last sentence.

of the above order, the Dgl of Police now reports that the delay in the investigation was due to the constant change of Inspectors in the Chitaldrug Taluk; that Inspectors Narayappa and Sri Narasimha Sastri are most to blame as they were in charge of the Taluk about the time the marriage took place and that all the Inspectors have been severely reprimanded for their negligence.

Submitted for orders with a draft recording the Dgl's letter.

2/9/03

2/9/03

Submitted to the Dewan with a draft 2/9/03

12726/3.9.03

No. 3018/233 Exm.

Office of the
Inspector General of Police in Mysore

Dated, Bangalore 7 January 1903

OFFICE OF THE 7405 10 JAN. 1903 DEWAN P

SECTION
FILE No. 39 exm. 03
SERIAL No.

From,

C. Madiah Esquire, Rao Bahadur,
Inspector General of Police in Mysore.

To,

H. V. Nanjundayya Esquire, M.A. M.L.
Secretary to the Government of Mysore,
General and Revenue Departments.

Sir,

I have the honor to forward herewith copy of docket No: 557 of the 22nd ultimo, from the Deputy Commissioner, Chitaldrug and a memo dated 15th ultimo drawn up by the Assistant Superintendent of Police regarding an infant marriage that took place on the 10th November 1900.

2. The facts of the case are briefly as follows:

One Thulasamma aged 7 years, 9 months and 9 days daughter of Sakamma

was

was married at Chitaldrug on 10th November 1900 to one Krishna Rao (Son of Bhatrakally Jayappa) aged below 18 years and one Manavi Guraraya Char acted as priest and performed the marriage ceremonies.

3. The above marriage being opposed to Section 3 of the Infant Marriage Prevention Regulation, the Assistant Superintendent of Police requests that the sanction of Government may be obtained to the prosecution of the parties concerned under the said Regulation. I beg to submit the same for sanction. The records of the case are herewith forwarded.

I have the honor to be,

Sir,

Your most obedient servant.

Inspector General of Police.

Encl to G.L. No 1

1902:03

FROM M. Narain Rao Esquire
Deputy Commissioner
Chitaldrug District,

To E. Madiah Esquire, Rao Bahadur
Inspector General of Police
in Mysore
Bangalore

Dated 22nd
Despatched
Received December 1902

General No. 557
No.

Enclosure No. 1 memo & a file of records.

1. Sakamma
2. Jayappa
3. Manavi Gurararaya Char

In forwarding herewith a memo dated the 14th instant from the Assistant Superintendent of Police regarding an Infant marriage case reported to have taken place at Chitaldrug Town, together with the Vernacular records to be returned when done with as per Pharisth, has the honor to request that sanction of Government may be obtained to prosecute the* marginally noted three persons for breach of

of the provisions of Section 3 of the Mysore Infant Marriage Regulation

2. The following points may be taken into consideration in according sanction to the prosecution.

(a). The marriage took place so long ago as 10th November 1900.

(b). The girl bride was wanting only 2 months and 20 days to complete her eight year on the day of the marriage.

(c). The grandfather of the girl who had settled the marriage and in whose protection she was, had died two months before the marriage.

(d). The marriage could have been prevented had the authorities taken immediate action on the receipt of an anonymous petition on the 8th November 1900. (Vide paper No: I on the record.)

Signature - Illegible
For Deputy Commissioner
Chitaldrug District.

"Copy"

Inspector General of Police.
No 1

Memo

During my inspection of some of the
Head stations in October last
that a case of infant marriage referred
to the Police for enquiry during any
time does a series time was pending with
view to enquire into the pendency
that matter myself as per present and
of government, I issued a circular to all
Talukas in the District requiring all such
old cases to be returned to the District
Police office. In accordance with the said
circular the incomplete records of the
case under report were received from
the Amildar of the Chitaldrug Taluk
with his report No: 264 of the 3rd Novemb
1902. The birth register of Anaddeni
Village, Holalkere Taluk was called for
and received from the Taluk Amildar
with his No: 224 of the 13th Idem. The
mother of the infant bride together with
the bridegroom and the Chitaldrug Town
Patel were examined by me on the 12th
13th and 14th Instant with a view to fix the
age of the infant bride more definitely

and

Memo

During my inspection of some of the Head stations in October last, I learnt that a case of infant marriage referred to the Police for enquiry during my predecessor's time was pending. With a view to enquire into the pending cases of that nature myself as per recent orders of Government, I issued a circular to all Taluks in the District requiring all such old cases to be returned to the District Police Office. In accordance with the said circular the incomplete records of the case under report were received from the Amildar of the Chitaldrug Taluk with his report No: 264 of the 3rd inst. November 1902. The birth register of Kaddeni Village, Holalkere Taluk was called for and received from the Taluk Amildar with his No: 224 of the 13th inst. Idem. The mother of the infant bride together with the bridegroom and the Chitaldrug Town Patel were examined by me on the 12th inst, 13th and 14th instant with a view to fix the age of the infant bride more definitely and

and the entire records are hereunto submitted for reference and kind return

2. Before detailing the facts of the case, I beg to state that information regarding the occurrence was received through an anonymous petition which reached the Deputy Commissioner's Office on 8th November 1900 and the same having been referred to the Police department for disposal, was forwarded to the Shirstadar of Chitaldrug for enquiry and early report in this Office No: 136 of the 8th Idem by Mr. N. Subba Rao. No enquiry appears to have been made about it by Inspector Narnappa (since transferred to Shimoga District) who was then in charge of the Chitaldrug Taluk though reminder was issued in this Office No: 2416 of the 26th April 1901.

3. Inspector Narasimha sastry who took charge of the Chitaldrug Taluk Police from Inspector Narnappa on 10th June 1901, examined the bridegroom's uncle named

Bhatrakalli Jayappa residing at Chitaldrug on the 14th idem. Jayappa stated that the deceased brothers son named Krishna Rao aged about 16 years was married to a girl named Thulasamma, daughter of Gonisetti Swamirayachar (deceased) on the 4th day of Karteeka Bahula of Sarvari year corresponding to the 10th November 1900 at Chitaldrug, two days after the receipt of the anonymous petition; that the marriage was celebrated by himself and the mother of the bride according to the wishes of her father named Ramanna of Madderi village of the Holalkere Taluk (who died 2 months prior to the marriage) and that Manavi Gururaya Char of Chitaldrug officiated as priest on the occasion.

4. Purohit Manavi Gururayachar stated before the Inspector on 3rd September 1901 that he officiated as priest during the marriage of the girl Thulasamma, daughter of Gonisetti Swamirayachar with the boy Krishna Rao, nephew of Bhatrakally Jayappa, at

was born in her own father's house at Maddeni whither she proceeded after her husband's death at Chitaldrug and that the entry in the Birth Register of that Village, shewn to her, referred to her daughter Thulasamma,

6. B. Narayana Rao, School Master of Anglo-Vernacular School at Chitaldrug stated that he witnessed the celebration of the marriage of the girl Thulasamma with Krishna Rao, nephew of Bhatrahalli Jayappa on the 10th November 1900 at Chitaldrug; that Manavi Gurarayachar officiated as Purohit during the marriage and that the girl Thulasamma was born in the house of her maternal grandfather at Maddeni, Holalkere Taluk some 3 months after the death of her father Gonisetti Swamirayachar at Chitaldrug which occurred on the day of Chathurdasi of Ashada Suddha about 10 yrs ago.

7. Patel Shankarappa of Chitaldrug town stated that he knew Gonisetti Swamirayachar

Swamiraya Char who died about 10 years ago at Chitaldrug and that the entry in the Deaths Register of Chitaldrug Town against 9th July 1892 was the one relating to the said Swamirayachar's death

8. The bridegroom Krushna Rao who is reported to be a student in the Senior F.A. Class at Shimoga stated that his present age was about 18 years and produced an extract from a note-book in which the date of his birth was noted by his elders to be 10th day of Adhika Jeshta Suddha of the year Parthiva corresponding to 23rd May 1885. His age was therefore at the time of the marriage under 18 years.

9. Considering the facts and the evidence of the case detailed above, it is clear that the girl Thulasamma was born at Hadderi Village, Holalkere Taluk, on the 1st February 1893 and her marriage having been celebrated on the 10th November 1900, she was below 8 years of age at the time

at Chitaldrug on the 10th November 1900; that the girl's father having died before her birth her mother Sakamma and the bridegrooms uncle Jayappa both celebrated the marriage and that the bride was born at Madderi Village of the Holalkere Taluk.

5. No further steps to close the case were taken by Inspector Narasimha Sastry during the time he remained in the Chitaldrug Taluk. The Birth Register of Madderi Village obtained from the Holalkere Taluk Cutcherry shows the date of birth of the girl to be 1st February 1893. Sakamma, the mother of the girl, stated before me on the 12th instant, that the marriage of her daughter Thulasamma with Krishna Rao was got celebrated by herself and Jayappa at Chitaldrug on the 10th November 1900 in her own house; that Ramavi Gurarayachar of Chitaldrug officiated as priest on the occasion; that she has only two issues, the girl being the youngest; that the girl

was

time and was wanting to complete it by two months and 21 days. Sakamma, the mother of the girl, and Jayappa, the uncle of the bridegroom together with Purohit Ramavi Iyuraraya Char have rendered themselves liable for prosecution under the provisions of Section 6 of the Mysore Infant Marriage Regulation. 10. It is requested that sanction of Government may kindly be obtained for prosecuting the three persons referred to above for breach of the provisions of Section 3 of the Mysore Infant Marriage Regulations.

Sd/- L. Narayana Rao
Assistant Superintendent of Police
Chitaldrug District.

Dated 15th December 1902.

"Copy"

Inspector General of Police.

Read:—

Letter No 3018
233
dated 9th January 1903, from the Inspector General of Police in Mysore, requesting sanction to the prosecution of the parties concerned in an infant marriage that took place at Chidalorug on the 10th November 1900.

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order thereon:—

In view of the delay of over two years, which has taken place in reporting this case for orders, combined with the fact that the brides' age at the time of marriage was

No. p. 1172. 5/0/2/03

SECTION Police
FILE No. 30 of 03
SERIAL No. —

was ~~subjected~~ a few months ~~[illegible]~~ below 8 years, Govt do not consider that it would be expedient to sanction the prosecution of the parties concerned, the Inspector General is requested to ~~take~~ note the dilatoriness on the part of the Police officers who took part in the investigation of the case; and to report the action taken by him for the information of Government.

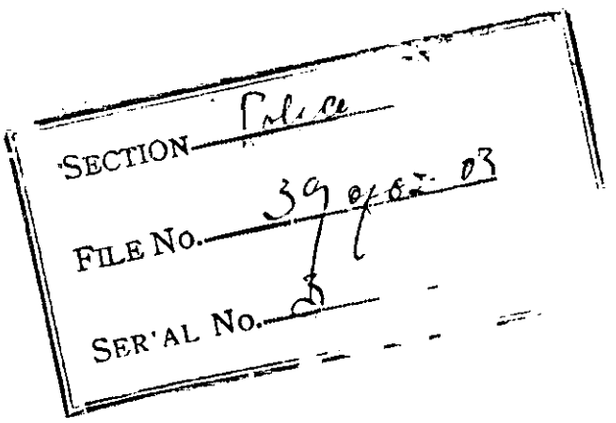
The Conclusion is not an improvement.
H
7/2/03

H
7/2/03

for Secretary

To. The Inspector General of Police in Mysore

Typed. 9/2/03


SECTION Police
FILE No. 39 of 02-03
SER'AL No. 3

141

No. 1163

275

J 277 Office of the
Inspector General of Police in Mysore.

Dated Bangalore 21st August 1903.

From C. Madeah Esquire Rao Bahadur.
Inspector General of Police in Mysore.

To H. H. Nanjundayya Esqre M. A. M.L.
Secretary to the Government of H. H.
the Maharajah of Mysore.
General and Revenue Departments.

Sir

With reference to Government Proceedings No. J.1172 dated the 10th February 1903, calling for a report regarding the notice taken of the Conduct of the Police Officers Concerned for the delay in the investigation of a case of infant marriage that took place at Chitaldroog on the 10th November 1900, I have the honor to state that the delay is reported to have been due to the constant change of Inspectors in the Chitaldroog Taluk, the marginally noted Officers having been in charge

1. Inspector Ivannappa
2. " — Srinivasimha Sastry
3. " — Venkatappa
4. " — Srinivasimha Sastry
5. " — Azizuddin
6. H. C. Krishna Rao
7. Acting Insp.r Krishna

8

of the Taluk within the period of 2 years which elapsed between the occurrence of the marriage and the closing of the investigation. Of these officers Inspectors Narayanappa and Srinarasimha Shastry are most to blame, as they were in charge of the Taluk about the time the marriage took place. All the Inspectors have been severely repremanded for their negligence

To avoid delay in future in the investigation of such cases orders have been issued that their investigation should be conducted by Superintendents or Assistant Superintendents personally

I have the honor to be,
Sir
Your most Obedient Servant,

Inspector General of Police.

Court
Nov 1860.

Mysore Govt., Gen. & Rev. Secretariat

Branch

File No. (if any) and its date 9/9/03

SECTION Genl.

FILE No. 35 and 03 / 1

SERIAL No. 1

Office Draft.

Progs. of the Govt. of H. H. the Maharaja of Mysore.

Read:— Letter No 1143 dated 21st August 1903 from the Inspector General of Police in Mysore, reporting with reference to Govt Progs: No 1003 dated 10th February 1903, that the delay in the investigation of a case of infant marriage that took place at Chitaldrug on the 10th November 1902 was due to the confusion caused by change of Inspectors in the Chitaldrug Taluk and that Inspectors Narasappa and Sri. Narasimha Sastri are most to blame as they were in charge of the Taluk about the time the marriage took place and that all the Inspectors have been severely reprimanded for their negligence.

Order:

Ll.

5989 9/9/03.

Ord.

14/9/03

Order thereon:—

Recorded

7/9/03

4.1.03

31/8/03 Secretary

to the Inspector

General of Police

29/8/03